

**United States Court of Appeals  
for the Federal Circuit**

717 MADISON PLACE, N.W.  
WASHINGTON, D.C. 20439  
otoole@cafc.uscourts.gov

Daniel E. O'Toole  
Clerk of Court

202-275-8020  
202-275-9380 (F)

August 19, 2014

Via CM/ECF

Richard Alan Clegg, Esq.  
Law Office of Richard Clegg  
501 West Broadway, Suite 800  
San Diego, CA 92101

Richard de Bodo, Esq.  
Bingham McCutchen LLP  
1601 Cloverfield Boulevard  
The Water Garden  
Suite 2050 North  
Santa Monica, CA 90404

J. James Li, Esq.  
LiLaw, Inc.  
5050 El Camino Real, Suite 200  
Los Altos, CA 94022

Re: Anticancer, Inc. v. Pfizer, Inc., 13-1056

Dear Counsel,

We inquire as to the status of this case, before this court on appeal.

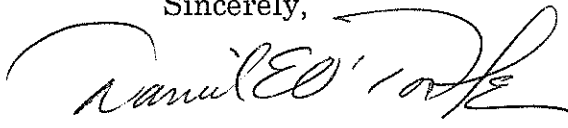
Dated September 26, 2012, counsel for Pfizer and AntiCancer filed a "Joint Motion and Stipulation of Voluntary Dismissal, with Prejudice" stating that "the Parties . . . have reached a settlement in this action." The district court Order dated September 28, 2012 states "The parties having reached a settlement in this action. . . AntiCancer's Second Amended Complaint is dismissed, with prejudice." Joint Appendix 23-25.

On November 5, 2012, AntiCancer's appeal to this court was docketed. In AntiCancer's November 19, 2012 docketing statement to this court, AntiCancer states that it is appealing from the district court's final judgment dated July 2, 2012 "based on its June 1, 2012, decision." Pfizer's November 19, 2012 docketing statement states that AntiCancer appeals from a Rule 54(b) judgment and seeks "reversal from the district court's July 16, 2012 Judgment."

A case that was settled is no longer in Article III "controversy." If appropriate, the appeal should be withdrawn.

Response within ten days would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel E. O'Toole", with a large, sweeping flourish extending from the end of the name.

Daniel E. O'Toole